

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

INITIAL STATEMENT OF REASONS

AMEND TITLE 13, CALIFORNIA CODE OF REGULATIONS
CHAPTER 10, ARTICLE 1, SECTION 1800

CONFLICT OF INTEREST CODE (CHP-R-01-07)

EXISTING REGULATIONS AND AMENDMENTS

Section 87300 of the Government Code requires the Department of California Highway Patrol (CHP) to establish a Conflict of Interest Code to ensure that public employees perform their duties in an impartial manner, free from bias caused by personal financial interest. The CHP's Conflict of Interest Code is contained in Title 13, California Code of Regulations, Section 1800, and requires that designated individuals disclose all assets and income that may affect their official actions. CHP has identified additional positions which should be designated in the Conflict of Interest Code, positions which should be deleted from the Conflict of Interest Code, and changes in section/unit designations which were changed as a result of the departmental reorganization.

PURPOSE OF THIS PROPOSED REGULATORY

Consultation with the Fair Political Practices Commission (FPPC) confirmed that employees in the new positions identified would be required to file Statements of Economic Interest. In order to make these changes effective on a permanent basis, it is necessary for CHP to adopt them as formal regulation amendments.

SECTION BY SECTION OVERVIEW

The proposed amendments to 13 CCR, Section 1800 are listed below in the order they are found in the text.

1. Chief of Governor's Security (Category 1) name change. Previously titled Commander, Governor's Protective Detail.
2. Planning and Analysis Division (PAD) (Category 2) was disbanded in August of 1990 and its duties were assigned to the Office of Assistant Commissioner, Staff and the Office of Special Projects and Office of Research and Planning. Following this reorganization in 1990, significant internal and external changes have taken place and has required the Department to reassess its management of these two critical offices. The reorganization of PAD will provide for greater management oversight and control of the activities performed by these two critical offices. No new positions were added.

3. Office of Capitol Protection (Category 4) name change. Previously titled Office of Capitol Services.
4. Office of Judicial Protection (Category 4) name change. Previously titled Office of Court Services.
5. Coordinator, Small Business Advocacy Unit (Category 4) new position. The position serves as the Small Business Advocate and Small Business Liaison for the Department.
6. Commander, Risk Management Section (Category 4) name change/reorganization. Previously titled Audit and Evaluation Section and reassigned the Legal Coordination Unit and its personnel to create this new section.
7. Commander, Community Outreach and Partnerships Section (Category 5) new position. Previously assigned as a unit under the Professional Standards Division until transformed into a section and renamed Community Outreach and Partnerships Section.

STUDIES/RELATED FACTS

None

LOCAL MANDATE

This regulation does not impose any mandate on local agencies or school districts.

ALTERNATIVES

The CHP has not identified any alternative that would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

IMPACT ON BUSINESS

The CHP has not identified any impact on small business.

ECONOMIC IMPACT

The CHP has determined that this amended regulation will result in:

- No significant compliance costs for persons or businesses directly affected.
- No discernible adverse impact on the level and distribution of costs and prices for large and small business.
- No impact on the level of employment in the state.